

A brief
ACCOUNT
 OF THE
PROCEEDINGS

Against the
Six Popish Priests,
 Condemned for **HIGH-TREASON**

The 17th day of this instant *January*, 1642.

V I Z.

<i>Lionel Anderson,</i>	{	<i>Henry Starkey.</i>	{	Two Benedictine Monks, formerly tryed with <i>Wakeman.</i>
alias <i>Munson.</i>		<i>James Corker,</i>		
<i>William Ruffel.</i>		and		
<i>George Parry.</i>		<i>Will. Marsbal,</i>		

With whom was likewise tryed *Alexander Lumsdell,*
 Who though he appeared to be a Priest, yet being born in *Scotland,*
 he continues upon a Special Verdict.

The Heads of the Evidence against each of them,
 and their Defences and Behaviour.

THere were Eight Priests in all brought down and Arraigned
 this day; but the first, called *David Joseph Kemisb,* being a
 very aged man, and appearing extream weak and ill, the
 Court upon his request was pleased; after he had pleaded Not Guilty,
 to remit his Tryal to another opportunity, when he might be better
 able to make his defence.

The other Seven were Tryed singly and successively one after the
 other, by one Jury, consisting of persons of good worth, against whom
 none of them made any Challenge or Exceptions. *Corker and Mar-*

shal before they pleaded, insisted on their former Tryal, pretending they were then acquitted of all Treasons: but the Court (many of the Judges, and particularly the Lord Chief Justice Scroggs being present) answered, *That this was another sort of Treason, for which they were not then questioned*, so that this vain suggestion was overruled. They were indicted upon the Statute of 27 Eliz. to this effect: That being born in the Kings Dominions, they had received Ordination from the See of Rome, and after that came into and abided in the Kingdom, contrary to that Law which had made that Offence High-Treason.

The Kings Council opened the Indictments learnedly, and set forth the necessity and just reason for making this Law, because of the many Treasons practised and promoted by Jesuits and Popish Priests against Queen *Elizabeth*; and shewed, that whoever does take Orders from Rome, does in effect renounce his Allegiance to the King, for he thereby owns another Supreme Power, viz. the Popes; which is such, according to the Doctrine of that damnable Church, that he can excommunicate and depose the King, and absolve all Subjects from Obedience to him.

The Evidence that appeared and were made use of, were Doctor Oates, Mr. Bedloe, Mr. Dugdale, Mr. France, and Mr. Dangerfield.

The first that came upon his Tryal, was *Lionel Anderson*, alias *Munson*, an antient man, and seeming to be sick; against him Three Witnesses swore, that they had seen him officiate as a Priest, receive Confession, say Mass, Consecrate and Administer the Eucharist, &c. and particularly Mr. Dangerfield deposed, that while he was in the Kings-Bench for Debt, and this *Anderson* there likewise a Prisoner, he told the Witness he had a Letter from the Lady *Rewis*, That the said Mr. Dangerfield should *skower his Kettle*, by which phrase; they mean, Confess his sins; and that accordingly he did go to Confession with the now Prisoner, and received the Sacrament, after which the Prisoner put him upon Drinking hard with another person, to pump out some things for the invalidating Mr. Bedloes Evidence; and Mr. Dangerfield being scrupulous so to do, lest he should be drunk on the same day that he had received, this precious Father told him, 'twas all one for that, he would give him leave to be drunk, since 'twas for the good of the Cause.

Next *Corker* was brought on, against whom two of the Evidence testified, That he had likewise officiated in the same manner at the *Savoy*, and seen him in his Preaching Habit. 'Twas also proved that he had a Patent to be Bishop of *London*.

Against Mr. *Marshall* there was only Dr. Oates, that could swear that he had heard him say Mass; yet Mr. Bedloe had seen him in his Habit, and when he put it off, was told he was going abroad to receive Confessions: but to put the matter out of doubt, it was proved by Two Witnesses, that when he was Tryed for the Plot, he owned himself in open Court to be a Priest; which though he now denied, yet several of the Court well remembered it. This Gentleman

man as he had a voluble Tongue, and affected Eloquence, took up much time with his Rhetorical Harangues, and urged much his acquittal by the former Jury; whence he would infer, that *Dr. Oates* and *Mr. Bedloe* were Perjured, in swearing they were concerned in the Plot, when yet they were found Not Guilty; and that thence they were never more to be counted credible Witnesses. But *Mr. Justice Pemberton* took him up roundly for that sawey Reflection, telling him, A Witness might give a just and true Evidence, and yet it might happen, a Jury not to believe it; but God forbid thence the Witness should be censured as Perjur'd or Invalid. The Prisoner likewise call'd their old Voucher *Ellen Rigby*, who said she never saw *Mr. Oates* in the *Savoy* at the times he mentioned; which seemed very little to the purpose, for he might be there and she not see him: besides, they made a mighty stir, that *Mr. Oates* could not see them there at *Mals*, because he was then but newly reconciled to their Church, and so it was not likely they should trust him: but so that they were told, That in 1677. and 1678. they were not so very shy of saying *Mals*, or cautious who heard, especially being a new Convert.

William Ruffel was used to harbour in *Wildbouse*, where 'twas proved that he had said *Mals*, and at other places. His Vestments were likewise taken with him, which at that time he owned to be his, as was sworn by the Honourable Sir *William Waller*, though now his Fatherhood thought fit to tell a Lye, and disown it.

George Parry was well known by several of the Witnesses to be a Priest, who had been at *Mals* with him sundry times; and *Mr. Prance* was so well acquainted with him, that he seized him long since the Discovery of the Plot in the street; and he had indeed reason to remember him, for that he had dealt with him in his Trade, bought silver boxes for Hallowed Oyl, and other knacks of him; and once sold him a Consecrated Chalice, by the same token he would not let the Witness touch it, till he had broken off a piece of it, lest the Sacred Vessel should be profaned whilst it was intire, by a Lay-mans handling.

Henry Starkey was a lusty ancient Gentleman, with but one Leg, the other being lost, as he alleadged, in the Kings service in the late Civil Wars. Though the Witnesses named several places where they had heard him say *Mals*, he stiffly denied it, and made solemn Imprecations that he was never at such places in his life.

Alexander Lumsdell was a Fryar, and Predicator-General of his Order. He was proved as plain as the rest, to be a Priest; but by his voice and affirmation it appearing probable that he was a *Scotchman*, and born, as he said, at *Aberdeen*, it seemed a point of difficulty to the Court, whether he should come within those words of the Statute, Born within the Queens Dominions, since at that time Scotland was under another Monarch: and therefore it was thought fit to direct the Jury to a Special Verdict. So that without Sentence, he must remain so Convict till the Judges shall have determined the matter.

Their

Their Defence in general appeared rather crafty than solid, allowing themselves a liberty of denying the most apparent Truths; the main Plea of them All being, That they were not proved *Priests*; because none of the Evidence were *by* when they received *Orders*; but as to that the Court resolved them, that it was enough that they had exercised those pretended sacred Offices, which none but *Priests* in their Church are allowed to perform: For otherwise the *Statute* were vain, and its Force wholly eluded; besides, some had confessed themselves *Priests*, and the *Orders* of one had been seen by one of the *Witnesses*. Then they all lay at *catch* about circumstances of *time* and *place*, wherein it was morally impossible that the Evidence should be positive; or if they could have been so, the Prisoners would have had some of their own *Gang* that, to serve their turns, should have alleadged they were then at other places. To this purpose one of them produced two young Lads that affirmed very roundly, that the Prisoner was from *Christmas* 1677, till *Hollantide* next, at such a place in the Country; that they saw him every day, because he constantly dined at their house; Yet one of these ill-tutor'd Youths that could name the year of our Lord so readily, being askt how many years ago this was, could not tell; so that the Juggling was apparent. Being further askt, whether they were sure they dined every day, and particularly on *Ash-wednesday* and *Good-friday*, they answered affirmatively, though 'tis well known no such thing is usual with *Papists*. They were very frequent in Appeals to Heaven, and pawning their Salvation at random, on trivial Circumstances, and things no way credible, their main designe being to scandalize the Evidence.

The Jury, after about a Quarter of an Hours Withdrawment, brought them in *Guilty*: And thereupon the Six before-mentioned being severally asked, What they had to offer why Sentence should not pass; *Anderfon* and *Starkey* pleaded their former Loyalty and Services to the King, which Mr. Recorder promised to relate to his Majesty. *Marshall* with a multitude of words cited the *Lord Cook*, to prove Priesthood in itself no Crime; but was shewn by the Court the Impenunency of that Argument. He likewise insisted on the Kings Declaration for *Liberty of Conscience*; but was answered, That of whatever force the same was, yet it was never meant to extend to *Popish Priests*.

Thus after a full and fair hearing, Mr. Recorder in a grave and excellent Discourse proceeded to pass the Sentence, usual in Cases of High-Treason.

These were the Heads of this Days Transaction; which for the present may satisfy people of the just and equal Proceedings of the Court. But for all Particulars, we understand the whole Tryal, exactly taken, will be made Publicque by Authority, to which the more Curious are referred.

F I N I S.